

MARK SHANNON Wheeler, 139044
Plaintiff Pro se.

vs.

BILL SEGREST, et al.,
Defendant

Civil Action No: 2:06-CV-274-MHT

RECD

Motion for Required Permission of Court to enable Plaintiff to Proceed with Motion for Final Judgment IN-Part, and Motion for Final Judgment IN-Part.

IN Compliance w/Rule 54(b) Fed. R. Civ. Proc.

Comes now the Plaintiff, Mark Shannon Wheeler, in This Honorable UNITED STATES District Court for the Middle District of Alabama Northern Division, and moves this said Court to GRANT these MOTIONS: Motion for Required Permission of Court to enable Plaintiff to Proceed with Motion for final Judgment IN-Part, and Motion for final Judgment IN-Part, here as, there is NO just reason for further delay in part, as a partial ruling as the Defendant Segrest et al does not deny that when Plaintiff Wheeler was sentenced, the maximum parole reschedule time set off in 1994 was 3 years maximum. Plaintiff Wheeler was scheduled for Sept. 2003, but was denied Equal Consideration due him, and was not reviewed until July 13th, 2005 (22 months late), then set off 5 years, 2 years exceeding maximum allowable to not violate the ex post facto guarantee of the U.S. CONST. (Article I, sec 9.). Plaintiff Wheeler was therefore due the process of a re-hearing Sept. 2006. But Plaintiff Wheeler still has a July 2010 illegal hearing scheduling date. Plaintiff Wheeler seeks in part a Partial Ruling on his Complaints before this Court, as Cynthia Dillard Acting Executive Director is also permitting 5 year illegal set offs of parole resets, contrary to Prisoners Due Process in sentencing structure. Plaintiff Wheeler seeks immediate relief this the 21st day of MARCH, 2007

MARK Shannon Wheeler Plaintiff

Certificate of Service

I, MARK Shannon Wheeler
hereby certify that I have mailed
a copy of the same and served upon
the Defendants at : Ala Bd. of Pardons
and Paroles
Legal Division
P.O. Box 302405
Montgomery, AL.
36130

by placing said same copies in the
Kilby Prison Inmates free legal mail
box, 1st class mail, this the 21st day
of March, 2007

Mark Shannon Wheeler
Mark Shannon Wheeler
Plaintiff Pro se

Mark Shannon Wheeler
AIS # 139844, I-56
Kilby Corr. Fac.

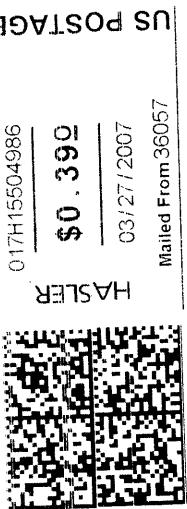
P.O. Box 150

Mt. Meigs, AL 36057

MARK S. WHEELER
A.I.S # 139044-7-56
Kiby Corr. Fac.
P.O. BOX 150
MT MEIGS, A.L.
36057

LEGAL MAIL

"This correspondence is forwarded from an Alabama State Prison. The contents have not been evaluated, and the Alabama Department of Corrections is not responsible for the substance or content of the enclosed communication."



Office of the Clerk
United States District Court
P.O. Box 711
Montgomery, AL 36101-0711

CIV. ACTION NO. 2:06-cv-274-MHT